

## REMARKS

### Interview Summary

The Applicants wish to thank the Examiner for his time and attention during the telephonic interview of November 29, 2006 with Hal Greenberger, David Howley, and the applicants' representative David Feigenbaum, in which the claims and the *Clark* reference were discussed.

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

#### **Claim Rejections - 35 USC § 102**

\*\*\*

**2. Claims 18 through 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark et al. (US Patent 5,754,644 [sic; 5,754,664]).**

Claims 18-21 have been cancelled. Applicants have added new claims 32-43. Support for the new claims can be found, among other places, at page 2, lines 11-21, page 4 line 17 – page 5 line 12, and FIG. 6 of the application.

### Claim 32

*Clark* does not describe and would not have made obvious

a first plurality of substantially identical electroacoustical transducers for radiating sound waves corresponding to said surround channel;

wherein the two seats are positioned side by side, and said electroacoustical transducers are positioned in said passenger compartment such that an occupant in any of the two of the seats is forward of, in a direct field of, and positioned substantially identically relative to a corresponding one of said electroacoustical transducers,

as recited in claim 32 (emphasis added). In *Clark*, even if the speakers 18 and 24 are positioned substantially identically relative to the front and rear seat, the seats in *Clark* are not positioned side by side.

Claim 36

*Clark* does not describe and would not have made obvious

a first plurality of substantially identical electroacoustical transducers for radiating sound waves corresponding to said surround channel; wherein each of the electroacoustical transducers are positioned in a corresponding seat-back such that an occupant in any of at least two of the seats is forward of, in a direct field of, and positioned substantially identically relative to a corresponding one of said electroacoustical transducers,

as recited in claim 36 (emphasis added). In *Clark*, no speakers are positioned in a seat-back.

Claim 40

*Clark* does not describe and would not have made obvious

An audio system for an automobile having a passenger compartment having seats, each seat for accommodating a single occupant, said audio system comprising:

...

a first plurality of substantially identical electroacoustical transducers for radiating sound waves corresponding to said surround channel;

wherein a number of transducers in the first plurality is equal to or greater than a number of said seats in the passenger compartment,

as recited in claim 40 (emphasis added). *Clark* is silent as to whether the seats can accommodate one or more occupants – e.g., no seats are shown in FIGS. 1-3 or FIGS. 5-9, and it is unclear from FIG. 4 whether there are two or more seats in the automobile.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good

Applicant : Douglas J. Holmi  
Serial No. : 09/532,907  
Filed : March 21, 2000  
Page : 8 of 8

Attorney's Docket No.: 02103-366001

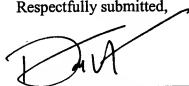
reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

A Petition for Extension of Time with the appropriate fee is enclosed. Please apply any charges or credits to deposit account 06-1050, Order No. 02103-366001.

Respectfully submitted,

Date: \_\_\_\_\_

12/12/6



David L. Feigenbaum  
Reg. No. 30,378  
Attorney for Application Owner

PTO No.: 26162

21514836.doc